

11/02/01 11050 U.S. PTO

12-06-01

A

Practitioner's Docket No. 989\_001DIV6

PATENT

NEW APPLICATION TRANSMITTAL

Box Divisional Patent Application  
Assistant Commissioner for Patents  
Washington D.C. 20231

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 "addressed to the Box Divisional Patent Application, Assistant Commissioner for Patents, Washington D.C. 20231 under "EXPRESS MAIL" mailing label number EL 730907725 US on November 2, 2001.

Cheryl M. Nichols  
Cheryl M. Nichols

11/02/01 10/004299 31040 U.S. PTO

Transmitted herewith for filing is the patent application of:

Inventors: James E. Moon, Timothy J. Davis, Gregory J. Galvin, Kevin A. Shaw, Paul C. Waldrop and Sharlene A. Wilson.

For: METHOD FOR FABRICATING LC DEVICE USING LATENT MASKING AND DELAYED LOCOS TECHNIQUES

1. Type of Application

This is a request for filing a Divisional Application under 37 C.F.R. §1.53(b), of pending prior application:

Serial No.: 09/334,408 Prior Art Unit: 1746  
Filed: June 16, 1999 Prior Examiner: Jiri F. Smetana  
Title: IMPROVED METHODS OF FABRICATING MICROELECTRO-MECHANICAL AND MICROFLUIDIC DEVICES  
Inventors: James E. Moon, Timothy J. Davis, Gregory J. Galvin, Kevin A. Shaw, Paul C. Waldrop and Sharlene A. Wilson.

2. Papers Enclosed

A. Required for filing date under 37 CFR 1.53(b) (Regular) are:

- 71 Page(s) of Specification  
3 Page(s) of Claims (20 and 24-29)  
1 Page(s) of Abstract  
58 Sheets of Drawings (Figs. 1-89B)  
☒ Formal  
☐ Informal

10004299-110201

U.S. GOVERNMENT PRINTING OFFICE: 2000-10-01

## B. Other Papers Enclosed

- ☒ Amendment to claims
- ☒ Cancel in this application claims 1-19, and 23 before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
- ☒ Claim 20 has been amended as shown on the attached amendment
- ☒ Add the claims shown on the attached amendment. (Claims added have been numbered consecutively following the highest numbered original claims.)
- ☒ A Preliminary Amendment
- ☒ A new Declaration and Power of Attorney is enclosed herewith
- ☒ Information Disclosure Statement
- ☒ Form PTO-1449
- ☒ Petition for Acceptance of Photographs Under 37 CFR §1.84(b)

3. ☒ Amend the specification by inserting after the title and before the first line the sentence:

### --Cross Reference to Related Application

This is a divisional application of U.S. Serial No. 09/334,408, filed June 16, 1999, the entirety of which is incorporated herein by reference.--

## 4. Relate Back

### A. 35 U.S.C. 119(e)

- ☐ Priority of provisional application Serial No. filed, is hereby claimed under 35 U.S.C. §119(e).

### B. 35 U.S.C. 120, 121 and 365(c)

- ☒ Priority of said prior application Ser. No. 09/334,408 filed June 16, 1999, is hereby claimed under 35 U.S.C. §120.

### C. 35 U.S.C. 119 Priority Claim for Prior Application

- ☐ Priority of foreign application(s) No. , filed in is hereby claimed under 35 U.S.C. §119.
- ☐ A certified copy of the above corresponding foreign application was filed in prior application Serial No. on .
- ☐ A certified copy of the above corresponding foreign application is filed herewith.

## 5. Declaration or Oath (including Power of Attorney)

The power of attorney in the prior application is to Christopher R. Pastel, Reg. No. 37,694:

- ☒ The power appears in the New Power of Attorney form filed herewith.
- ☐ A copy of the power in the prior application is enclosed.
- ☒ Address all future communications to:

Christopher R. Pastel  
WALL MARJAMA & BILINSKI, LLP  
101 South Salina Street, Suite 400  
Syracuse, NY 13202  
Telephone: (315) 425-9000

## 6. Inventorship Statement

The inventorship for all the claims in this application are:

- ☒ the same.
- ☐ not the same. An explanation, including the ownership of the various claims at the time the last claimed invention was made,

## 7. Assignment

The prior application is assigned of record to Kionix, Inc. at Reel 010060, Frame(s) 0065.

## 8. Small Entity Status

Small entity was established in the parent application via a verified statement filed on June 16, 1999.

## 9. The filing fee has been calculated as shown below:

A.	Filing Fee	
	<input checked="" type="checkbox"/> Original Patent Application	\$ <u>370.00</u>
	<small>(37 C.F.R. 1.16(a) --\$740.00; Small Entity--\$370.00)</small>	
B.	Fees for Claims (7 Claims; 1 Indep.)	
	<input type="checkbox"/> each independent claim in excess of 3	\$ <u>      .00</u>
	<small>(37 C.F.R. 1.16(b) --\$84.00; small entity--\$42.00)</small>	
	<input type="checkbox"/> each claim in excess of 20	\$ <u>      .00</u>
	<small>(37 C.F.R. 1.16(c) --\$18.00; small entity--\$9.00)</small>	
	<input type="checkbox"/> multiple dependent claim(s)	\$ <u>      .00</u>
	<small>(37 C.F.R. 1.16(d) --\$280.00; small entity--\$140.00)</small>	
C.	<input type="checkbox"/> Assignment Fee	\$ <u>      .00</u>
	<b>Total Fees Due</b>	<b>\$ 370.00</b>

## CRP/cmn

- Customer No.:

PATENT TRADEMARK OFFICE

Wall, Marjama & Bilinski, LLP

Christopher R. Pastel  
Reg. No. 37,694

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: James E. Moon et al.

Ser. No.: Not Assigned

Parent Appln. Information:

Filed: Concurrently Herewith

Serial No. 09/334,408

Filed: June 16, 1999

For: METHOD FOR FABRICATING LC DEVICE USING LATENT MASKING AND  
DELAYED LOCOS TECHNIQUESBox Divisional Patent Application  
Assistant Commissioner for Patents  
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United States Postal Service "Express Mail Post Office to Addressee"  
service under 37 CFR 1.10 addressed to the Box Divisional Patent  
Application, Assistant Commissioner for Patents, Washington D.C.  
20231 on November 2, 2001Cheryl M. Nichols  
Cheryl M. NicholsPETITION FOR ACCEPTANCE OF  
PHOTOGRAPHS UNDER 37 CFR §1.84(b) AND  
TRANSMITTAL OF FEE UNDER 37 C.F.R. §1.17(i)

Sir:

Transmitted herewith are two sheets (Figs. 6a, 6b and 14) of black and white photographic drawings for the above-identified application. These photographs are discussed in the specification, illustrate the aspects of the invention as cited in the specification, and are a part of this application. It is hereby requested that the PTO accept the attached photographs as part of the disclosure of this application. Attached is our check in the amount of \$130.00 in payment for the fee under Rule 17(i).

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to deposit Account No. 50-0289.

Respectfully submitted,

WALL MARJAMA &amp; BILINSKI, LLP

Dated: 11/2/01

By: Christopher R. Pastel

Christopher R. Pastel  
Reg. No. 37,694

CRP/emn

Customer No.:



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